TL 1425

Comité de Travail Canada-Asie 亜 Canada-Asia Working Group

HUMAN RIGHTS IN ASIA

SUBMISSION PREPARED FOR THE 45TH SESSION OF THE UNITED NATIONS COMMISSION ON HUMAN RIGHTS

Geneva, February 1989

ISN-0820-3296

CURRENTS Vol. 11 #1
February 1989

Comité de Travail Canada-Asie Canada-Asia Working Group

TABLE OF CONTENTS

INTRODUCTION.....2

BANGLADESH.....3

Chittagong Hill Tracts
State of Emergency
Conclusion and Recommendations

INDONESIA and EAST TIMOR.....5

Indonesia
Context of Human Rights Issues
Freedom of Association and Expression
Arbitrary Arrest and Detention: the Plight of *Ex-Tapols*
Torture and Death in Detention
Denial of Fundamental Rights in Irian Jaya

East Timor
Arbitrary Arrest and Detention
Torture
Extra-Judicial Execution and Forced Disappearance
Restrictions on Freedom of Movement, Speech and Association
Actions Leading to the Extermination of the Timorese People
Conclusion

Recommendations

JAPAN.....12

Alien Registration Law
Conclusion and Recommendations

KOREA.....13

The Student Movement
The Labour Movement
The Urban Poor
Political Prisoners
Freedom of Expression
Conclusion and Recommendations

MALAYSIA.....19

Preventive Detention: the Internal Security Act
Arbitrary Arrest and Detention
Erosion of Civil Liberties
The Independence of the Judiciary
Conclusion and Recommendations

PHILIPPINES.....23

The Context of Human Rights Issues
Political Background
Military Strategy

Violations of Fundamental Rights
Arbitrary Arrest and Detention
Torture
Forced Disappearance and Extra-Judicial Killing
Massacre
Forced Mass Evacuation and Food Blockade

Conclusion and Recommendations

SINGAPORE.....32

Preventive Detention: the Internal Security Act
Perpetual Arbitrary Detention: the Case of Chia Thye Poh
Cruel and Degrading Treatment: the Case of 1987 ISA Detainees
Denial of the Writ of *Habeas Corpus*
Conclusion and Recommendations

SRI LANKA.....35

Background to the Human Rights Situation
Erosion of Political Authority
Arbitrary Arrest and Detention; Torture and Death in Detention
Forced Disappearances and Extra-Judicial Killings
Colonization
Legislation Eroding Protection of Human Rights
Conclusion and Recommendations

TAIWAN.....40

Denial of Right to Self-Government
Political Prisoners
Freedom of Expression and Assembly
Freedom of Association and Trade Union Rights
Aboriginal Land Rights
Conclusion and Recommendations

INDONESIA

Context of Human Rights Issues

President Suharto and his *Orde Baru* or "New Order" government assumed power through a military coup in 1965, the aftermath of which was one of the worst mass atrocities of the modern era. Under General Suharto, the Indonesian military coordinated the slaughter of between 500,000 and one million men, women and children suspected of being involved with the Communist Party (PKI). Approximately one and one-half million others, accused of sympathizing with the PKI, were imprisoned, many for more than a decade. [1]

In order to consolidate its power, the New Order government instituted a program of pervasive and systematic repression of all sectors and aspects of Indonesian society that might represent an alternate source of power. Implementing this program consistently during the past 23 years, the Suharto government has brought virtually all independent organizations, such as the trade union movement, under its direct control, and imposed a national ideology (*Pancasila*), the interpretation of which is the prerogative solely of the government. In addition, all political, judicial and legislative functions have become subordinate to executive authority. Although administrative changes during 1988 introduced a greater number of civilians into the Cabinet, the government remains dominated by the military. [2]

Under the concept of *Dwi Fungsi* or "Dual Function", an integral component of the New Order, the military exercises an official and central role in both providing security services and directing the socio-political development of the nation. Under these conditions, economic power has also tended to become increasingly concentrated within the governing, military-dominated élites. The context for considering the human rights situation in Indonesia, therefore, is that of an extreme concentration of economic and political power supported by an elaborate legal system under which most forms of dissent or open participation in matters of public policy is proscribed, and an official tendency to regard human rights concerns as contrary to the interests of the state. [3]

It is difficult to develop a standardized analysis of the human rights situation in Indonesia. This is partly on account of the limited information available because of the severe restrictions imposed on Indonesian NGOs and the government's continuing refusal to permit the free investigations by international human rights organizations. More significantly, it is due to the generalized condition of violation of human rights that has resulted from structurally imposed, permanent restrictions on fundamental freedoms. A de-facto state of emergency has been in effect in Indonesia since 1965, based on a number of vague legal instruments such as the Anti-Subversion Law and implemented by the extra-legal, supra-military organization KOPKAMTIB, the "Operational Command for the Restoration of Security and Order". [4]

In an executive decree of 5 September 1988, President Suharto announced the disbanding of KOPKAMTIB and its replacement by a new security agency. The new organization, BAKORSTANAS or "Coordinating Body for Assisting the Maintenance of National Stability", maintains many of the functions and powers of its predecessor. Although it will no longer be exclusively composed of representatives of the military, the new agency will continue the tradition of being solely accountable to the President.

Freedom of Association and Expression

In 1973 the government ordered all opposition parties to merge into two disparate coalition groupings. The formation of independent political parties continues to be banned. Similarly, the government created two coalitions in 1985 to function as the sole government-sanctioned labour organization: SPSI or "Indonesia Union of Employees" for the private sector, and KORPI for public servants and workers in enterprises with a portion of state ownership. These organizations are not permitted to function as trade unions but, instead, each acts as a "forum" in which *Pancasila* industrial relations" are carried out. The Minister of Manpower has declared strikes "irreconcilable with the system of *Pancasila*" and security forces regularly intervene to break up strikes that do occur. A formal complaint against the systematic restriction of trade union rights has been filed with the International Labor Organization's Committee on Freedom of Association. It asserts that more than half of Indonesia's workers are denied their basic rights through the government's systematic program of anti-union legislation. [5]

In 1985 the government introduced the *UU Ormas* or "Law on Social Organizations", which came into effect on 17 June 1987. Under the new law, all non-governmental organizations (NGOs), including churches, are required to register with the government and formally subscribe to *Pancasila* as their sole foundation and principle. The law authorizes the government to exercise "guidance" over all NGOs, including control of their contacts and exchanges with foreign or international organizations, and allows the government to arbitrarily dissolve, without judicial appeal, any NGO "which renders assistance to foreign parties which is detrimental to the interests of the state and nation." Such assistance is defined to include anything which "may hinder the execution of development programs" or be critical or otherwise "detrimental to foreign policy". [6]

The Law on Social Organizations represents a serious restriction on the freedom of association and the right to promote human rights. Since the law came into effect, two major social organizations have been forcibly dissolved. [7]

The rights of freedom of association and expression is restricted in various ways. Meetings and conferences have been regularly disbanded, sometimes forcibly. Human rights lawyer Buyung Nasution continued to be subject to arbitrary disbarment for having served as defense counsel in a political trial in 1987. The media are severely restricted. According to an authoritative report, "The Indonesian press is governed by an extensive regime of formal controls, and press organs operate under the pervasive threat of closure. Journalists, enveloped by the 'culture of fear' (*budaya takut*), censor themselves." [8]

Arbitrary Arrest and Detention; the Plight of *Ex-Tapols*

The Anti-Subversion Law (ASL) allows the arbitrary arrest and detention for up to one year of any person deemed to "... distort, undermine or deviate from the ideology of *Pancasila* or the Broad Outlines of State Policy." Detainees have no recourse to judicial appeal. According to the Minister of Justice, as of July 1988 there were "probably ... thousands" held under the ASL, many of whom have been neither charged nor tried. [9] Most of the ASL prisoners are being held solely on the basis of their political or religious views. Arrests of Muslim activists involved in non-violent religious activities continued in 1988. About 100 persons who were originally detained in 1965-66 continue to be held in prison, in some cases, despite the fact that they have completed serving their sentences.

Former political detainees, or *ex-tapols*, of which there are at least 1.4 million, continue to be subject to severe discrimination and restrictions on their fundamental human rights. The vast majority of the *ex-tapols* have never been formally charged or brought to trial for their "crimes", most of which are alleged to have occurred more than 20 years ago. They are officially identified as "former political prisoners" in government records and on their personal identification papers. In June 1988, two government departments initiated programs to re-examine the records and intensify the monitoring and supervision of all *ex-tapols*.

Under the Election Law, any *ex-tapol* may be denied the right to vote; some 40,103 were reportedly disenfranchised prior to the 1987 general election. *Ex-tapols* are prohibited from working as civil servants or in industries designated as "vital", or as lawyers, teachers, clergy, journalists or "... anything relating to policy-making, anything relating to society ...". They are also subject to special regulations governing movement and place of residence. In 1985, with a view to maintaining an ideologically "clean environment", these comprehensive restrictions were extended to the children and other immediate relatives of *ex-tapols*. [10]

Torture and Death in Detention

Physical and psychological abuse of both political and criminal prisoners is reportedly practiced throughout Indonesia. In cases reported during 1988, prisoners have been subject to beatings, maiming, and the use of electric shocks. Much of the abuse of criminal prisoners appears to be gratuitous or retributory, while political prisoners are often abused in order to obtain "confessions". During recent years there have been consistent reports of torture of suspected members of the *Organisasi Papua Merdeka* (OPM), the armed independence movement in Irian Jaya. At least two cases of deaths in custody as a result of torture have been documented during 1988. [11]

Indonesian authorities continued the practice of executing political prisoners during 1988. About 25 of the ASL prisoners in detention since 1965-66 who were sentenced to death remain in detention. Since 1985, the government has been gradually executing these prisoners. On 15-16 October 1988, two of the prisoners were executed in prison. There have also been reports that several of the Muslim activists arrested during the mid-1980s were executed in October and November 1988. [12]

Denial of Fundamental Rights in Irian Jaya

Transmigration, the largest colonization program in history, is an Indonesian program for relocating people from the densely populated inner islands to the more sparsely inhabited outer islands. In Irian Jaya the program has resulted in serious environmental damage and dislocation of large numbers of indigenous tribal peoples from their traditional lands. According to government figures, 2002 transmigrant families were re-settled in Irian Jaya during the financial year 1987-88. [13]

In July 1988, the Indonesian authorities announced their intention of extending the transmigration program into the heart of the traditional tribal homeland. Conflicts over land rights between tribal peoples and settlers, often supported by Indonesian security forces, has given rise to the OPM, an insurgent resistance movement defending the traditional land rights of the tribal peoples. Escalating confrontations between the OPM and the Indonesian military has resulted in a wide range of reported human rights violations including arbitrary arrest and detention, torture, and extra-judicial killings. Access to the territory has been restricted, and reports indicate the character of Indonesian military activity resembles that of an occupation force.

The militarization has produced some 10,000 tribal refugees in camps across the border in Papua-New Guinea who have been, on occasion, subject to attack by Indonesian forces. In October 1988, Indonesian security forces crossed the border and abducted five refugees. The hostages were released after a protest by the government of Papua New

Guinea, but Indonesian authorities asserted that they would continue such actions if they deemed it necessary to discourage OPM activities. [14]

EAST TIMOR

One-third of the population of East Timor, or about 200,000 people, have been killed in the war that has raged in the territory since Indonesian troops invaded in December, 1975. [1] Various U.N. bodies, including the General Assembly, have affirmed the right of the East Timorese to a free and fair act of self-determination and have appealed repeatedly to Indonesia to withdraw its forces. [2] Indonesia has consistently ignored the international community and, in July 1976, illegally annexed East Timor. An armed resistance to the Indonesian occupation has been carried on by Fretilin since 1975. [3]

Information about human rights abuses perpetrated in East Timor usually take months and even years to reach the outside world. For more than twelve years, Indonesia has imposed a total blackout on news from the territory. All information about arrests, torture, disappearances and extrajudicial killings are received by human rights groups through three principal sources: private communications with contacts in the Roman Catholic Church; documents produced by the Timorese resistance; and private communication with individuals, chiefly refugees from East Timor. Where it has been possible to verify information, it has proved to be broadly reliable. It is also believed to represent only a fraction of the actual level of abuse to have occurred within East Timor.

This documentation, as reflected in the details summarized below, indicates that a generalized state of violence still exists in East Timor. This litany of individual tragedies only hints at the terrible experiences described and the collective memory of suffering and endurance which the people of East Timor have been accumulating for more than a decade. [4]

In 1985, Indonesia promised to collaborate with humanitarian organizations in investigating charges of human rights abuses in East Timor. But, to date, Indonesia continues to refuse free access to East Timor by independent, international organizations concerned with the welfare of the Timorese people, on the grounds that they are "biased" or "hostile". The Indonesian authorities have recently announced that they have decided to open the territory to normal traffic with both Indonesia and the international community. However, the terms and extent of this openness have yet to be determined. As recently as December 1988, Foreign Minister Ali ALATAS responded to criticism over restricted access to East Timor by asserting, "We never object to any delegation visiting East Timor, except those non-governmental groups who are biased." [5]

Arbitrary Arrest and Detention

Except for lists of people tried in the East Timor capital, Dili, in 1985, 1986 and 1987, Indonesia has never furnished information about arrests and detentions in East Timor. These lists are widely considered to represent only a fraction of the numbers arrested and detained during this period. The official Indonesian news agency, *Antara*, reported in February 1988 that 52 political prisoners were released in Dili. This brings to 11 the number of officially acknowledged political prisoners in Dili, although it does not include those detained in the interior of East Timor or Timorese held in prisons on Java, Roti, Sumbawa or Ambon. [6]

There is little doubt that Indonesia maintains a "shadow detention system" throughout East Timor at the district and sub-district level. Refugees have testified that there are more than 100 prisoners held in each of the Babanaro and Laclubar prisons. [7] The International Committee of the Red Cross (ICRC) has no access to these prisons in which detainees continue to be held without charge or trial. Reports continue to be received that Fretilin suspects are detained by *Kopassandha*, the élite army commando regiment. Suspects are held without charge or trial for extended periods. [8] Some 3,000 were reportedly arrested and detained in a security sweep prior to the visit of Indonesian President SUHARTO in November 1988. Most have since been released, but an unknown number remain in military custody. [9]

Prisoners released from Atauro Island remain under close surveillance once they return to their place of origin. They are forced to carry out guard duties in civil patrols and are forbidden to travel more than five kilometers from home. During military operations carried out against the resistance movement they are used as a human shield, forced to advance at the head of the Indonesian troops. [10]

Trials of political prisoners suspected of supporting Fretilin continue in Dili district court. Although the Indonesian government claims the trials are open to the public, observers from international organizations are not allowed to attend. Friends of the accused are afraid to do so for fear of being suspected of sympathizing with Fretilin. Many of the prisoners recently released appear to have been tried on the basis of testimony produced by coercive means after long periods of incommunicado detention. [11]

Torture

Because of restrictions on visits to East Timor, reports tend to emerge long after the fact. Amnesty International continues to receive reports of incidents of torture of prisoners held in detention centers outside of Dili, beyond the scope of the ICRC inspection. The following cases are offered as examples:

Manu RUSU, an adolescent from Uabubo, was arrested on 22 February 1986 by the 'Group 4' military unit. He was tortured with electric shocks, cigarette burns, and was forced to stand for two days in a tank of water without food;

Celestino FREITAS, 45, a former village chief from Samalari, was detained near Lakrubi, Baucau, by Indonesian armed forces on 17 October 1986. He was subject to electric shock while under interrogation;

Brigita GUTERRES, 25, was raped by two soldiers from Company C, Batallion 516 on 3 November 1986 while on her way to work in her vegetable plot. [12]

Extra-Judicial Execution and Forced Disappearances

The number of Timorese who have been victims of extra-judicial execution and forced disappearances since 1975 may never be known, but by all accounts the estimates are staggering. [13] Credible sources place the total over the years in the tens of thousands. The church-based organization Peace Is Possible in East Timor has compiled information on human rights abuses that occurred in the period between 1985 and 1987. Cases cited in its report include:

Francisco BELO, a member of the resistance who was wounded and captured by Indonesian forces near Venilale in January 1985. He was taken to the Hotel Flamboyant in Baucau and has since disappeared;

Jaime da COSTA, 27, a civil servant, Martinho HORNAI, 36, a traditional chief, and fifteen other villagers of Iliomar, were executed by bayonet in February or March 1987 by members of the 9th Zipur Batallion. [14]

According to sources inside and outside of East Timor, extra-judicial killings and forced disappearances perpetrated by the Indonesian military continue to occur on a regular basis. For example:

Domingo de CASTRO, an official with the Aileu Economic and Development Services, was reportedly taken away by intelligence officers in December 1987, and has not been seen since;

Domingos da COSTA and GASPER, members of the civilian militia, were reportedly shot to death by members of the 721st Batallion on 24 February 1988;

Joao MARTINS, a founder of Apodeti (a pre-occupation political party), was reportedly killed in Kamea, Dili, on 12 June 1988;

Five female students at the agricultural college in Natarbora were raped and killed by soldiers on 16 September 1988. Authorities reported the incident to the parents, but no action was taken. [15]

Restrictions on Freedom of Movement, Speech and Association

The fundamental freedoms of movement, speech and association are severely restricted in East Timor. Formal controls extend to travel permits being necessary within East Timor, scrutiny of mail and prohibition of long distance telephone calls. Many Timorese villagers are forced to live under constant military surveillance in strategic hamlets under conditions that include forced labour and confinement to a set perimeter around the camp.

An extensive intelligence network has been established throughout the territory and pervades every aspect of life in East Timor. One refugee, recently arrived in Lisbon, observed, "Everything we do ... everywhere we go ... and people we talk to ... they always knew." [16] According to all independent reports, fear and apprehension are endemic.

Actions Leading to the Extermination of the East Timorese People

Genocide is the deliberate extermination of a race or nation. The level of human rights violations in East Timor since 1975 has led many individuals and organizations to conclude that Indonesia's aim in East Timor is nothing less that the eradication of the Timorese people and the culture of resistance to Indonesian rule that has developed.

Recent testimony by a Timorese refugee who was forced to serve in *Operasi Pagar-Kisis I*, a military encirclement operation in 1981, confirms this view. Of the killing of civilian non-combatants at Mt. Aitana he recalls: *"It was a ghastly sight. There were a great many bodies, men, women, children, strewn everywhere, unburied, along the riverbanks, on the mountain slopes. ... the Indonesian soldiers showed no mercy to anyone. Even tiny babies were slaughtered. ... I would estimate that 10,000 people had been killed in this operation."* [17] Amnesty International has made repeated requests for the Indonesian government to investigate reports of this and other massacres but, thus far, the authorities have failed to do so.

Most disturbing among the recent reports of human rights violations in East Timor is the alleged murder of some 200 children, by the administration of poisonous drugs in Dili hospitals, during the past 18 months. Tony Lamb, an Australian Member of Parliament and pharmacist by profession, has termed the deaths "genocide" and has called for a full international investigation. [18]

Last year, the Conference of Catholic Bishops in the U.S. described the Indonesian birth control program in East Timor as having "the character of genocide", given the large number of deaths that have already taken place in the territory. [19]

At least one-third of the population has died as a result of the 1975 invasion and the subsequent occupation. While the resistance led by Fretilin has managed to maintain a guerilla war for more than 12 years, there is another kind of war being advanced that is proving much more difficult for the East Timorese people to survive. With the help of its Western allies and the International Financial Institutions, Indonesia is changing the face of East Timor through a program of strategic development.

The East Timorese have been marginalized in guarded villages and are prevented from communicating with the outside world. Infrastructure is being built to facilitate the movement of troops and the creation of new Indonesian settlements. The government of Indonesia has introduced an aggressive birth control program, thereby diminishing the Timorese population. The continual resettlement of the rural population and restricted access to good land has caused famines and outbreaks of disease, about which the authorities have done little to alleviate. At the same time, land has been transferred to transmigrant families from Indonesia. Many observers have suggested that this program constitutes the systematic extinction of a people.

Conclusion

Gross and systematic violations of human rights have been a constant feature of the military occupation of East Timor since the Indonesian invasion of 1975. Although various U.N. bodies have appealed repeatedly to Indonesia to withdraw its forces, the occupation continues in effect and the right of the Timorese people to a free and fair act of self-determination continues to be denied.

Human rights violations continued during 1988, including extra-judicial executions, torture, rape, forced disappearances and the alleged poisoning of Timorese children by Indonesian medical staff. The military campaign against Fretilin continues and East Timorese suspected of sympathizing with the resistance are brutally treated. Large number of Timorese continue to be restricted to strategic hamlets.

While recent suggestions of a new policy of openness are most welcome, Indonesia continued to deny free access to East Timor by the international community during 1988. In this regard, all can share in the sentiment expressed by the Portuguese representative to the U.N. Special Committee for Decolonization in August 1988:

"New winds favourable to peace and to the respect for the rights of peoples seem to be blowing in the world today. We earnestly hope they will be strong enough to reach also East Timor and thus create the atmosphere that will inspire all parties concerned to find the appropriate ways to bring the long awaited peace and justice to its people." [20]

INDONESIA and EAST TIMOR:

RECOMMENDATIONS

We recommend that the Canadian government:

1. urge the government of Indonesia to ratify and respect the basic U.N. human rights instruments, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Covenant Against Torture;

2. under Agenda Item 8 of the U.N. Commission on Human Rights, press for respect for the rights of Indonesian workers to freely organize and to exercise their rights without fear, including the right to strike;

3. express, at the next meeting of the Inter-Governmental Group for Indonesia (IGGI), its concerns over the detrimental impact of the Law on Social Organizations on human rights and the freedom and effectiveness of NGOs;

4. urge the government of Papua New Guinea to ensure that no refugees from Irian Jaya will be subjected to involuntary repatriation, and request the government of Indonesia to permit investigations by independent human rights bodies of alleged human rights violations in Irian Jaya;

5. help apply international pressure on the Indonesian authorities to give free and unrestricted access to international relief and human rights agencies to work in East Timor, particularly the International Committee of the Red Cross and Amnesty International;

6. encourage the Secretary-General of the U.N. to include representatives of the East Timorese people, including Fretilin, in talks held under his auspices in accordance with U.N. resolution GA 37/30 (1982);

7. call for a withdrawal of Indonesian occupation forces from East Timor and demonstrate support for the right of the people of East Timor to a free and fair act of self-determination, as affirmed by repeated U.N. resolutions;

8. work to reinstate Indonesia on the list of countries being investigated under Confidential Procedure 1503 of the U.N. Commission on Human Rights, as one exhibiting a consistent pattern of gross and systematic violations of human rights.

Notes: Indonesia

[1] The PKI, which in 1965 was a legal organization and the fourth largest communist party in the world, was virtually eradicated in the mass murders of 1965-66. According to recent Indonesian government figures, the number of persons detained for their alleged relation to the PKI was 1,459,107. Other estimates range as high as 1.7 million. Asia Watch, *Human Rights in Indonesia and East Timor*, November 1988.

[2] For example, Indonesia's "... principal legislative body, cannot pass legislation without the President's approval. In practice, it has not initiated legislation since 1971...." Asia Watch, November 1988. This work presents an up-to-date, comprehensive assessment of human rights conditions in Indonesia, and offers the conclusion: "The New Order government has spun an extensive web of formal restraints on political activity and speech, and a military apparatus that spreads across the vast archipelago -- reaching down to the village level -- enforces them. Political parties are heavily regulated and their activities severely circumscribed. Public debate is confined within narrow parameters, and the government brooks little dissent." Thirteen of the current 41 member Cabinet are military officers. Indonesia Resources and Information Programme (Australia), *Inside Indonesia No. 15*, July 1988.

[3] J. Patrick Meagher, *Reflection on the Human Rights Situation in Indonesia*, July 1987.

[4] The Anti-Subversion Law prohibits any deviation from *Pancasila* and provides authorities with a wide range of discretion with regard to political interpretation and sentencing, including capital punishment. KOPKAMTIB was created in 1965 and served as the primary agency charged with consolidating the authority of the military rgime and eliminating all forms of opposition. According to a 1977 government document (*Role and Function of KOPKAMTIB in the National Security System*): "... without alarming the entire nation by resorting to the proclamation of a State of Emergency or a state where Martial Law prevails, it is deemed more effective to deal with the subversion and infiltration problems through the establishment of a body that specialists in preventing such problems, namely KOPKAMTIB." Cited in Asia Watch, November 1988.

[5] *Inside Indonesia No. 13*, December 1987; the ILO action has been taken by the International Confederation of Free Trade Unions, *ICFTU Free Labour World*, 29 January 1988.

[6] *Udang Udang Organisai Kemasyakarantan*, Article 14.

[7] The two organizations, both student groups (*Pelajan Islam Indonesia and Gerakan Pemuda Marhaenis*), recognized Islam and nationalism rather than *Pancasila* as their ideological foundation.

[8] Asia Watch, November 1988.

[9] *Indonesia News Service*, 27 July 1988, cited in Asia Watch, November 1988.

[10] Tapol: the Indonesia Human Rights Campaign, *Submission to the U.N. Subcommission on Prevention of Discrimination and Protection of Minorities*, August 1988.

[11] Asia Watch, November 1988; *TAPOL Bulletin*, October 1988.

[12] Amnesty International, *ASA 21/17-18-19/88*, October/November 1988.

[13] Survival International, *Transmigration Threat to New Guinea Highlands*, August 1988. *Inside Indonesia* No. 15, July 1988.

[14] *West Papua Update No. 2*, "World Council of Churches Report on a Visit to PNG", August 1988; *Far Eastern Economic Review*, 22 October 1988.

Notes: East Timor

[1] *The Economist*, 24 December 1988: "Asia Watch, a private human-rights group, says that in the first two months of the 1975 invasion almost 60,000 people died. Anyone who might have given food or shelter to the resistance group Fretilin was put in a camp. Some starved to death. Amnesty International reckons that perhaps 200,000 people out of a population of 650,000 died as a result of the invasion; if so, it was proportionately as high a death toll as Kampuchea suffered under Pol Pot."

[2] U.N. General Assembly resolution 3485 XXX (1975) has been reiterated seven times, most recently in GA 37/30 (1982) which remains in force.

[3] Fretilin, *the Frente Revolucionaria de Timor-Leste Independente*.

[4] Catholic Institute for International Relations, *Timor Link*, April 1988.

[5] *Far Eastern Economic Review*, December 1988.

[6] For example, there were known to be 38 Timorese prisoners in Cipinang as of May 1988. Asia Watch, *Human Rights in Indonesia and East Timor*, November 1988.

[7] Testimony of Timorese Refugees before the U.S. Congressional Committee on East Asia and Pacific Affairs, October 1987.

[8] Asia Watch, *Statement to the U.N. Special Committee on Decolonization*, August 1988.

[9] *The Guardian* (U.K.), 12 December 1988. Incidences of arbitrary arrest and detention of Timorese are also reported to occur outside of East Timor. For example, university student Santio Oliveira BARROS was arrested by Indonesian military personnel on 27 December 1987 before a Timorese students' Christmas party at which Gen. L.B. MURDANI was to be present. He continues to be detained in an unknown place. *East Timor News* (Lisbon), August 1988.

[10] José Guterres, Testimony before the *U.N. Sub-Commission on Prevention of Discrimination and Protection of Minorities*, August 1987.

[11] Amnesty International, Summary of Concerns in East Timor: *Statement to the U.N. Special Committee on Decolonization*, August 1988.

[12] Peace Is Possible in East Timor (Lisbon), *Human Rights Violations in East Timor: Jan. 1985 - Dec. 1987*. July 1988; Amnesty International, August 1988; Peace Is Possible, July 1988.

[13] The U.S.-based human rights organization Asia Watch (August 1988) reports that large numbers of suspects disappeared during *Operasi Sapu Bersih*, an Indonesian military offensive in 1983-84. Their names are only now surfacing.

[14] Peace Is Possible, July 1988.

[15] Amnesty International, August 1988; British Campaign for Human Rights in Indonesia, *Tapol*, October 1988; *Tapol*, December 1988.

[16] Asia Watch, August 1988.

[17] *Tapol*, June 1988.

[18] *Sydney Morning Herald*, 26 October 1988.

[19] U.S. Conference of Catholic Bishops, *Statement of Concern on East Timor*, 31 March 1987.

[20] Rui Quartin-Santos, Representative of Portugal, *Statement to the U.N. Special Committee for Decolonization*, August 1988.